

United States District
Court House
300 QUARREPOSS ST
Southern District New York
White Plains, NY 10601-4150

CASE NO. 18 CB 795 (KMK)

Mr. Antwan Heath

86176-054

P.O. Box 759

F.C.I Schuylkill

Minersville, PA 17954

Request For Compassionate
Release / Home Confinement

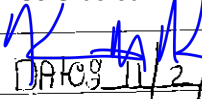
Petitioner Heath is making this compassionate release/home confinement + appointment of counsel request pursuant to the First Act of 2018, the CARES Act, U.S.G 18 U.S.C 3582(CXIXA) for a series of life threatening health complications. Specifically he suffers from Crohn's disease, anal abscess, diarrhea, and anal fistula. Mr. Heath was diagnosed with Crohn's disease approximately March, 2019 before his arrival to Federal Bureau of Prisons at St. John's Riverside Hospital in Yonkers New York. Mr. Heath was readmitted to Kings Brook Hospital in Brooklyn New York mid August, 2019 for a second opinion on his Crohn's disease, and subsequently re-diagnosed with Crohn's disease, anal abscess, and anal fistula. Mr. Heath was hospitalized approximately three times while housed in MDC Brooklyn however Mr. Heath was informed during the Kingsbrook visit that he needed to get surgery for his anal abscess and anal fistula and that he should receive a monthly dose of (Humira) for his Crohn's disease, but was given Penicillin (mezala mine) as an alternative. Further, Mr. Heath's medical records from the above health care provider's recommended that he be placed on a diet plan with sufficient green leafy vegetables that still have not been followed

by F.C.I Schuylkill medical, and/or Food service staff. Moreover, during Petitioner's Follow up Appointment At Brooklyn Hospital the G.I Doct or recommended surgery to stop the bleeding which has not received. Mr. Heath was given prednisone to stop the bleeding At U.S.PCCANAR, but did not work. Nevertheless Mr. Heath was subsequently sent out for a Colonoscopy from F.C.I Schuylkill, but is still in need of Assessment of a gastroenterologist Doctor and surgery to correct the Anal Abscess, and the Anal Fistula to stop the severe and persistent bleeding, and dosages of HUMARA that is prohibited by BOP, thus Mr. Heath request Compassionate Release/Home Confinement. Petitioner, will pay medical expenses through medicare, and get treatment from St. John's Riverside, and Kingsbrook Hospital. See (Attached medical report (Initial request: Administrative Remedy). See: United States v. Beck, 1:13-cr-186-6 (M.D. N.C. Jun. 28, 2019) (granting Compassionate Release to A Person not receiving proper medical care).

Wherefore, Petitioner request Appointment of Counsel, Compassionate Release/Home Confinement.

Application for compassionate release, pursuant to 18 U.S.C. Section 3582, is denied. Mr. Heath has not established that he suffers from any of the risk factors that place him in a particular danger of suffering from the severe effects of COVID-19. While Mr. Heath does have some health challenges, they are not of a kind that place him in the kind of danger that satisfy his burden of showing extraordinary and compelling reasons for release. Moreover, consideration of the Section 3553(a) factors further argues against early release. Mr. Heath has demonstrated a serious disregard for the law, not only by his conviction in this case, but through his flight before arrest and his lawless and violent behavior while on bail. Thus, for these reasons the application is denied.

So Ordered.

 2/1/21
DATE: 2/2/2020

Respectfully Submitted
Antwan Heath
86176-054
P.O. BOX 759
Mindenville, PA 17954

TRULINCS 86176054 - HEATH, ANTWAN - Unit: SCH-B-A

FROM: Warden
TO: 86176054
SUBJECT: RE:***Inmate to Staff Message***
DATE: 10/14/2020 12:52:03 PM

Your request has been submitted to your Unit Team for review.

>>> ~^!"HEATH, ~^!ANTWAN" <86176054@inmatemessage.com> 10/14/2020 12:24 PM >>>
To: Scott Finley
Inmate Work Assignment: n/a

Petitioner, Heath is making this Compassionate Release request pursuant to the First Step Act, 18 U.S.C 3582(C)(1)(B), Care Act, U.S.S. 61B1.13(DJ;ARD 18-U.S.C 3582(C)(1)(A)(1) for a series of life threatening health complications. Specifically he suffers from Crohns Disease, Anal Abscess, Diarrhea, And Anal Fistula. Mr. Heath was diagnosed with Crohns Disease approximately March, 2019 before his arrival to BOP at St. Johns Riverside Hospital in Yonkers New York. Mr. Heath was readmitted to Kings Brook hospital in Brooklyn New York mid August, 2019 for a second opinion on his Crohns Disease, and subsequently Rediagnosed with Crohns Disease, Anal Abscess, and Anal Fistula. Mr. Heath was hospitalized approximately three times while housed in MDC Brooklyn, however Mr. Heath was informed during the Kings brook visit the he needed to get surgery for his Anal Abscess, and Anal Fistula, and that he should receive a monthly dose of Humara for his Crohn's Disease, but was given Pentasa (Mesalamine) as an alternative. Further, Mr. Heath's medical records from the above health care provider's recommended that he be placed on a dietary plan that still have not been follow by F.C.I Schuylkill medical staff, and/or food service. Moreover, during petitioner's follow up appointment at Brooklyn Hospital the G.I Doctor recommended surgery to stop the bleeding which he has not received. Mr. Heath was given prednisone to stop the bleeding at Canaan (USP) to stop the bleeding but it did not work. However Mr. Heath was sent out for a colonoscopy from F.C.I Schuylkill, but is still in need of assessment of a G.I Doctor, and surgery to correct the Anal Abscess, and the Anal Fistula to stop the severe, and persistent bleeding, and dosages of Humara that is prohibited by BOP, thus he Request Compassionate Release/Home confinement. Petitioner will pay medical expenses through medicade, and get treatment from St. Johns Riverside, and Kings Brook Hospitals.

HEATH, Antwan
Reg. No. 86176-054
Unit 2A
Request to Staff Response
Page 1 of 2

RESPONSE

This is in response to your Request to Staff received on October 14, 2020, in which you request Compassionate Release/Reduction in Sentence (CR/RIS) pursuant to the Coronavirus Aid, Relief, and Economic Security Act ("CARES ACT"). Your request is based on your claim you suffer from Crohns Disease, anal abscess, diarrhea, and anal fistula.

Program Statement 5050.50, "Compassionate Release/Reduction in Sentence: Procedures for Implementation of 18 U.S.C. 4205(g) or 3582(c)(1)(A)", Section 3, requests based on Medical Circumstances, specifies: A CR/RIS request may be initiated for inmates with a terminal, incurable disease and whose life expectancy is eighteen (18 months) or less, and/or has a disease or condition with an end-of-life trajectory under 18 U.S.C. 3582(d)(1). A CR/RIS request may also be initiated for inmates who have a debilitated medical condition. More specifically, these inmates would be diagnosed with an incurable, progressive illness, or who have suffered a debilitating injury, from which they will not recover. Elderly inmates, age 65 and over, with medical conditions, may also initiate a CR/RIS. Your request has been evaluated consistent with this general guidance.

According to your most recent medical review, you have no COVID-19 risk factors and are currently stable with a good prognosis. You are able to independently adapt to activities of daily living and are able to perform self-maintenance activities in a correctional environment.

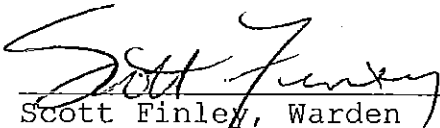
Additionally, you have failed to provide all of the required information and documentation to be reviewed for consideration for your request, in accordance with Program Statement, 5050.50, Compassionate Release/Reduction in Sentence: Procedures for Implementation of 18 U.S.C. 3582 and 4205(g). Specifically, you failed to provide a complete release plan including where you will live and how you intend to financially support yourself.

HEATH, Antwan
Reg. No. 86176-054
Page 2 of 2

Currently, section 12003(b)(2) of the Coronavirus Aid, Relief, and Economic Security Act ("CARES ACT") grants discretion to the BOP to place inmates on home confinement for a longer term under 18 U.S.C. 3624(c)(2). The BOP's discretion is guided by criteria listed in memoranda from the Attorney General regarding Home Confinement dated March 26, 2020. After a review of your case, we have determined you are not appropriate for priority placement on Home Confinement at this time because you have a recidivism score of "High."

Therefore, after careful consideration, your request for Compassionate Release/RIS request and Release to Home Confinement under the Coronavirus Aid, Relief, and Economic Security Act ("CARES ACT") is denied at this time.

If you are not satisfied with this response to your request, you may commence an appeal of this decision via the administrative remedy process by submitting your concerns on the appropriate form (BP-9) within 20 days of the receipt of this response.


Scott Finley, Warden

10/29/20
Date

Antwan Heath 86176-054

Federal Correctional Institution Schuylkill
P.O. Box 759

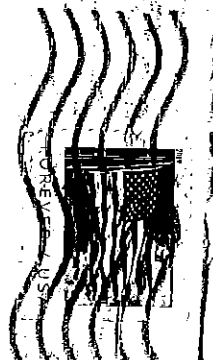
Minersville, PA 17954-0759

Mailed from

Federal Correctional Institution
Schuylkill, PA

HARRISBURG PA 171

8 JAN 2021 PM 1 L



TO United States District Court
Southern District of New York
300 Quarropas Street, White Plains,
New York, 10601

LEGAL MAIL

